IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

Crl.MC.No. 3027 of 2001()

MC.17/2001 of SUB DIVISIONAL MAGISTRATE, MANANTHAVADY

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PETITIONER:

A.SILVESTER,
S/O.AMBROSE,
J.M.J. HOUSE,
NEAR LITTLE FLOWER U.P.SCHOOL,
MANANTHAVADY P.O., WAYANAD DISTRICT.

BY ADV. SRI.P.V.SURENDRANATH
SMT.RAKHI RAMDAS

RESPONDENT:

SUB INSPECTOR OF POLICE,
MANANTHAVADY,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI.C.K.SURESH

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO.2578/2001 IN CRL.M.C. 3027/2001

CLOSED.

SD/-
9.8.07. K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

JP

K.R.UDAYABHANU, J.

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Crl.M.C.No.3027 of 2001

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Dated this the 9th day of August, 2007

O R D E R

The petitioner has sought for getting quashed the proceedings initiated under Section 107 Cr.P.C against him by the Sub Divisional Magistrate, Mananthavady. According to him, the allegations mentioned in the order of the Sub Divisional Magistrate, Mananthavady, in M.C.No.17/2001, are all false. The petitioner has produced Annexure A2, the order of police protection granted to him by this Court in O.P.No.36508/2000. According to him, he had purchased property in the name of his daughter and the assignors wanted to re-convey the property as the land prices in the area escalated subsequent to the proposed starting of an Engineering College in the locality. The other case mentioned is C.C.No.206/2000 which was compounded. Another matter mentioned is the complaint received in the local police station filed by the land lord of the house in which he is residing. Another case relates to Ext.P6 complaint filed by him to the Tahsildar, alleging that the Village Officer demanded a bribe of Rs.1500/- for affixing signature in his income certificate. The other case with respect to destruction of posters are regarding the

posters affixed in the name of Yuvajanavedi workers alleging that he is demanding exorbitant interest and harassing the poor people.

I find that the above allegations contained in the preliminary order appears to be not attracting the provisions under Section 107 Cr.P.C. The above cases cannot be said to be of that serious so as to cause breach of peace or cause disturbance to the public tranquility. In the circumstances, the proceedings initiated vide M.C.No.17/2001 by the Sub Divisional Magistrate, Mananthavady, is hereby quashed.

The Crl.M.C is allowed as above.

K.R.UDAYABHANU,
Judge

ms

K.R.UDAYABHANU, J.

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Crl.M.C.No.3027 of 2001

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O R D E R

9th August, 2007